

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MHC FINANCING, LTD, et al,

No C 00-3785 VRW

Plaintiffs,

ORDER

v

CITY OF SAN RAFAEL,

Defendant,

CONTEMPO MARIN HOMEOWNERS  
ASSOCIATION,

Defendant-Intervenor.

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In connection with its fee application, plaintiff MHC submitted the affidavit of Lisa Scruggs on April 15, 2008. Doc #600. The Scruggs affidavit includes a table documenting the number of hours billed quarterly for each attorney working for MHC on all aspects of this case. Doc #600, Exh 2. Additionally, MHC submitted to the court the affidavit of David Bradford, which contains a series of tables documenting the total hours worked on this case by each attorney for MHC. Doc #585, Exhs D, E. There is a discrepancy between the total hours given for each attorney in

1 the Bradford affidavit (Doc #585, Exhs D, E) and the sum of the  
2 quarterly totals for each attorney in the Scruggs affidavit (Doc  
3 #600, Exh 2). For example, the Bradford affidavit, exhibit D,  
4 lists Andrew Sussman's total hours worked on this case at 1.7. The  
5 Scruggs affidavit, exhibit 2, however, lists Andrew Sussman as  
6 working 14.6 hours in the second quarter of 2000, 0.5 hours in the  
7 third quarter of 2000 and 5.6 hours in the third quarter of 2000  
8 for a sum total of 20.7 hours. There are numerous other  
9 discrepancies that go beyond the mere fact that the Scruggs  
10 affidavit includes a few more months of data. Attachment 1 hereto  
11 totals for each attorney the quarterly data submitted in the  
12 Scruggs affidavit. Compare total hours worked in the tables of Doc  
13 #585, Exhs D, E, with Attachment 1. Not later than April 8, MHC is  
14 DIRECTED to explain these discrepancies and present the correct  
15 data.

16 Additionally, not later than April 8, MHC is DIRECTED to  
17 submit the amount of time each of MHC's attorneys spent working on  
18 MHC's breach of contract and breach of the duty of good faith and  
19 fair dealing claims. Doc #78 (third and fourth causes of action).

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22 IT IS SO ORDERED.

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25 VAUGHN R WALKER  
26 United States District Chief Judge  
27  
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**Attachment 1**

## Sum of Quarterly MHC Attorney Hours

Attorney	Locality	Experience	Total Hours
David Bradford	Chicago	32	2120.25
Lisa Scruggs	Chicago	10	2607.25
Bradley Yusim	Chicago	6	680.75
Barry Levenstam	Chicago	30	27.5
Terry Mascherin	Chicago	24	2
Mark Heilbrun	Chicago	18	14
Matt Basil	Chicago	11	241.75
Sean Herring	Chicago	3	106.75
Jason Green	Chicago	6	254.5
April Otterberg	Chicago	2	17.75
Shannon Jones	Chicago	2	7
Benjamin Weinberg	Chicago	15	1173.75
Christine Miller	Chicago	11	125.5
Therese Tully	Chicago	12	135
Nanci Rogers	Chicago	7	1031.75
Daniel Konieczny	Chicago	7	1012.75
Katherine Saunders	Chicago	9	172.25
Hannah Stotland	Chicago	6	19.75
Robert S Coldren	Santa Ana	30	263.3
C William Dahlin	Santa Ana	29	291.4
Mark Alpert	Santa Ana	20	15.5
Robert Mulvihill	Santa Ana	24	15.9
Robert Williamson	Santa Ana	32	24.7
William Hart	Santa Ana	32	0.4
Andrew Sussman	Santa Ana	25	20.7
Scott Shintani	Santa Ana	11	0.5
Steven Lowery	Santa Ana	11	1.2
Diane Haugeberg	Santa Ana	11	5.7
Jason Pyrz	Santa Ana	11	18.5
Kenneth Keller	San Francisco	32	277.1
Michael Lisi	San Francisco	12	0.7
Ingrid Leverett	San Francisco	18	106.7
Chicago Paralegals	Chicago		3056
Santa Ana Paralegals	Santa Ana		15.7
SF Paralegals	San Francisco		157.4